

ORIGINAL**In the United States Court of Federal Claims**

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JAMES-FREDERICK: GRAVELING**Plaintiff,****v.****UNITED STATES,****Defendant.**

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FILED**NOV - 4 2016****U.S. COURT OF
FEDERAL CLAIMS****No. 16-1447T****Filed: November 4, 2016****ORDER**

On November 2, 2016, the court received from pro se plaintiff James-Frederick: Graveling a document titled:

Reservation, Wish and Demand that All Creator Given, Constitutionally
Guaranteed Rights Be Upheld

Verified Complaint, Petition For Redress of Grievances and Petition
for Summary Judgment^[1]

Although the exact nature of the document is unclear, it appears to contain a number of allegations against the United States government and several requests for relief. Along with his filing, in what appear to be garbage bags, many of them unbound, plaintiff also mailed to the court hundreds of pages, weighing over seventy pounds according to the court's staff, of what he refers to as exhibits and appendices, and redacted versions of all of these documents, although the case is not sealed.

Plaintiff's November 2, 2016 filing is forty-seven pages long with 163 footnotes and, due to plaintiff's idiosyncratic writing style and minimal organization, is impossible to understand. The caption of the filing lists the defendant as "The United States –hereinafter US- contingently standing for various parties who wronged CI [i.e., the claimant]." After a largely incoherent introductory section, which repeatedly references the United States Constitution, numerous passages from the Bible, and various historical documents, plaintiff includes a section titled "STATEMENT OF QUESTION(S)", in which he states:

One Key question is: will this court uphold CI's rights and the Cx [i.e. United States Constitution] by enforcing said contracts? IF SO, TO CI's knowledge

¹ All emphasis, grammatical errors, and spelling errors are plaintiff's. Additionally, all footnotes have been omitted.

there are no other questions to be answered **for CI's case**, though there are questions that must be answered for the plight of CI's fellow Americans.

It is unclear what are the "said contracts" plaintiff references in this statement, and throughout his filing. The closest plaintiff comes to clarifying this is a portion of the **"Relevant Facts"** section of his filing, wherein he states:

"CI is a beneficiary of the contract entered by America's fathers and the People of the united States of America, a contract CI never signed, but is inherently spoken of and for as one of "the people" the 9th and 10th AMDTs mention. Said Cx contract must be enforced per the supremacy clause and God's 8th Law."

In a footnote plaintiff defines "God's 8th Law" as "Genesis 16:5; I Samuel 24:12ff; Psalm 2 with Acts 13 et al." The rest of plaintiff's **"Relevant Facts"** involve statements about the Constitution, religious law, plaintiff's taxes, and the gold standard. Plaintiff's filing proceeds to list 35 **"Counts"** against the United States, which fall into three types of allegations. Plaintiff's first set of allegations, to the best the court can determine, appear to relate to the abrogation of gold clauses in government and private contracts and/or the abandonment of the gold standard by the United States. For instance, plaintiff states:

Rs violated CI's rights, e.g. 1) to gscoin circulation (with resulting injures: e.g. Congress' usurping powers; loss of separate Art. III courts paid in gold, independent of/not serving Federal Reserve bankers (FED) or Congress but the people); SAL 48 took CI's God given **right** to "Dealings in, and loans on, gold" . . . infringing all of CI's rights (per CX Requires), violating Decl's "all men are created equal", treating CI (a Christian and heir to Abraham's liberty) as an involuntary slave

Plaintiff similarly alleges that the United states **"made war on the constitution"** when it "circumvented" what plaintiff alleges was the United States Constitution's **"demands that only gscoin be used as tender in payment of debts."** Plaintiff next appears to allege that his United States Citizenship has harmed him, stating that the United states has "willfully coerced" plaintiff into "US citizenship and the like- (via agreements) that CI neither consented to nor intended to" and that by doing so the government **"violated CI's right to self-determination, a direct result of which was that his reputation suffered greatly."** Finally, plaintiff appears to challenge the legality of the government's assessment of federal income taxes against him, stating that the United States "came against CI without verified authorization a) of assessment for alleged taxes and b) for alleged "change" from refunds . . . in violation of the Cx, America's laws, and contracts."

The allegations in plaintiff's November 2, 2016 filings are so confused and lacking in specific detail that they cannot be understood as alleging cognizable causes of action against the United States, regardless of how liberal an interpretation they are given. Additionally, the court feels compelled to note that, the United States Constitution is not, as plaintiff argues, a contract, nor has he alleged the existence of any other contract that would entitle him to relief. Further, the mere existence of plaintiff's United States

Citizenship, in and of itself, does not give rise to a cause of action against the government. To the extent that plaintiff's filing can be understood as seeking recovery based on the abrogation of gold clauses, this issue has been settled legally for decades. See, e.g., Perry v. United States, 294 U.S. 330 (1935) (holding that plaintiffs lacked a cause of action based on the government's abrogation of gold clauses in government bonds). Similarly, any dispute over the Federal Government's power to impose an income tax was settled by the Sixteenth Amendment to the United States Constitution, which was adopted in 1913. Therefore plaintiff's November 2, 2016 filing is **DISMISSED** as frivolous.

Additionally, the court orders that the hundreds of pages of appendices, exhibits, and redacted documents that were submitted along with plaintiff's November 2, 2016 filing be returned to plaintiff **UNFILED**. The documents are double-sided, such that text from one side is clearly visible on the other side, single spaced, and inconsistently bound, in violation of Rules of the Court of Federal Claims, 5.5(c)(1)(C), 5.5(c)(4), and 5.5(c)(4). These deficiencies would result in a substantial burden on the clerks' office should they be required to file plaintiff's documents in a situation in which the filing Rules of the court have been violated and there is no coherent, cognizable case.

Although the above-captioned case has been filed and given a case number, it is, hereby, **DISMISSED**. The Clerk's Office should enter **JUDGMENT** consistent with this order.

IT IS SO ORDERED.


MARIAN BLANK HORN
Judge